

COMMITTEE AMENDMENT FORM

DATE: 10/31/07

COMMITTEE ZONING

PAGE NUM. (S)

ORDINANCE I. D. #07-O-1443

SECTION (S)

RESOLUTION I. D. #07-R-

PARA.

AMENDS THE LEGISLATION BY ADDING TWO (2) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING JUNE 25, 2007.

AMENDMENT DONE BY COUNCIL STAFF 10/31/07

City Council
Atlanta, Georgia

07-O-1443

Z-07-75

Date Filed: 7-2-07

AN ORDINANCE
BY COUNCIL MEMBER IVORY LEE YOUNG
AS AMENDED BY ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

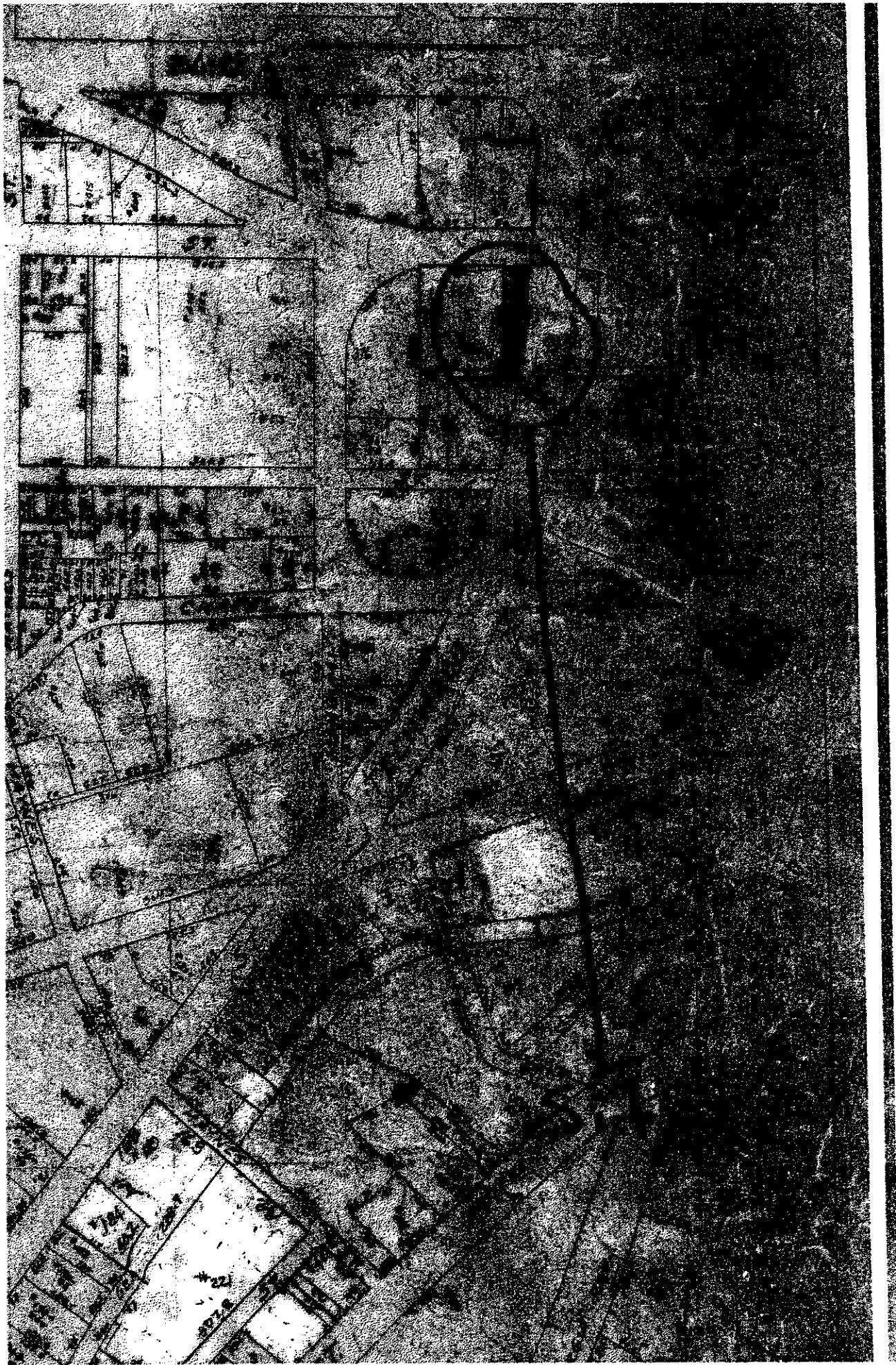
SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **348 Mitchell Street (fka O Mitchell Street- 14-084-004-018)** be changed from the MRC-2-C (Mixed Residential Commercial-Conditional) District to the MRC-3-C (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lot 84, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



TTCHELL STREET

posed 4" Gas line
at edge of wall S86°38'20"E TB 1044.87
El. 1043.61 wall 0.7' in 1/4"
Wall bottom
El. 1044.80

R/W varies

El. 1066.39
X

157.60'

bottom
V4.36 X
BB 1043.19 X
BB 1043.45 X
BB 1040.97 0" hardwood
TB 1043.51 X
TB 1043.55 X
El. 1047.36
X

0.4669 Ac.
20,332.36 SQ. FT.
Parcel ID
14-084-004-008

El. 1032.40
X

El. 1051.83
X
0.0283 Ac.
1,234.06 SQ. FT.

rebar fnd. 1/2" pipe fnd.
Parcel ID # 14-084-004-087
1/2" pipe fnd.
1/2" rebar fnd.
El. 1034.46
X
3/4" magnolia
1/2" rebar fnd.
0.53' in 1/4"

El. 1032.78
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0.3342 Ac.
14,556.68 SQ. FT.

El. 1032.46
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'W varies
FT.

No Parking
sign

2/8" weeping cherry
1/2" rebar fnd.
4" oak
1/2" rebar fnd.

Schickan Alley a.k.a. Schickan Alley

Parcel ID # 14-084-004-084
0.0770 Ac. 3,353.79 SQ. FT.

Parcel ID # 14-084-004-088
0.0770 Ac. 3,353.79 SQ. FT.

74' R/W

DRIVE

OLYMPIC PARK

Techwood Drive Viaduct

Bridge

El. 1066.27
X

El. 1066.01
X

El. 1064.47
X

El. 1062.21
X

S16°16'19"W
C= 384.65'
A= 385.90'
R= 1385.00'



**CONDITIONS FOR Z-07-75 for 348 Mitchell Street, S.W. (previously
addressed as "0 Mitchell Street"- 14-084-004-018)**

1. Site Plan similar to the plan prepared by Lord Aeck & Sargent, dated June 12, 2007 and stamped received by the Bureau of Planning on June 25, 2007. This plan should serve as a conceptual framework for the development of this project and is not intended to allow for minor site plan amendments.
2. Floor area ratio, based on gross land area as proposed, not to exceed 2.50 residential and 0.54 non-residential.

Continued on next page

Conditions for Z-07-74 and Z-07-75

~~_____~~
~~_____~~
~~_____~~ Conditional Site Plan, prepared by Lord, Aeck & Sargent
Architecture, dated August 16, 2007.

3. The height specification diagram entitled "60 Mangum Street," prepared by Lord, Aeck & Sargent Architecture, dated August 16, 2007, is hereby made a condition of this rezoning and its provisions shall be enforced as such.

4. No part of the property to be rezoned to MRC-3-C by Ordinance Z-07-74, lying south of the former south right-of-way line of Markham Street (now abandoned), shall be included in this rezoning. Said property shall remain zoned MRC-2-C, but shall be subject to the conditions of this ordinance.

5. The subject property will remain governed by all provisions and conditions of Ordinance Z-06-43 (06-0-0785), except the condition entitled "Specific MRC-2-C Conditions" (maximum building heights). A copy of Ordinance Z-06-43 is attached for reference purposes.

6. The data tables included as part of the site plan and height specification diagram, referenced in Conditions 1 & 2 above, specifying the floor area ratios (FAR), the types of use, the number of residential units, the parking provisions, the open space specifications, the height of each element and the method of measuring each element's height shall be considered "written" conditions and shall not be subject to the Administrative Site Plan Amendment procedures, but rather shall require approval by the City Council subsequent to the required public hearing procedures.





~~_____~~
~~_____~~ Any proposed amendment to the Administrative Site Plan shall be given notice to the Castleberry Hill Neighborhood Association and NPLM prior to the submission of said amendment to the City.

7. The specific design of the park space, shown at the southern end of this property on the conditional site plan, shall be finalized in consultation with the Castleberry Hill Neighborhood Association. Park design elements may be approved by Administrative Site Plan Amendment as required.

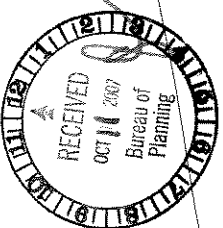
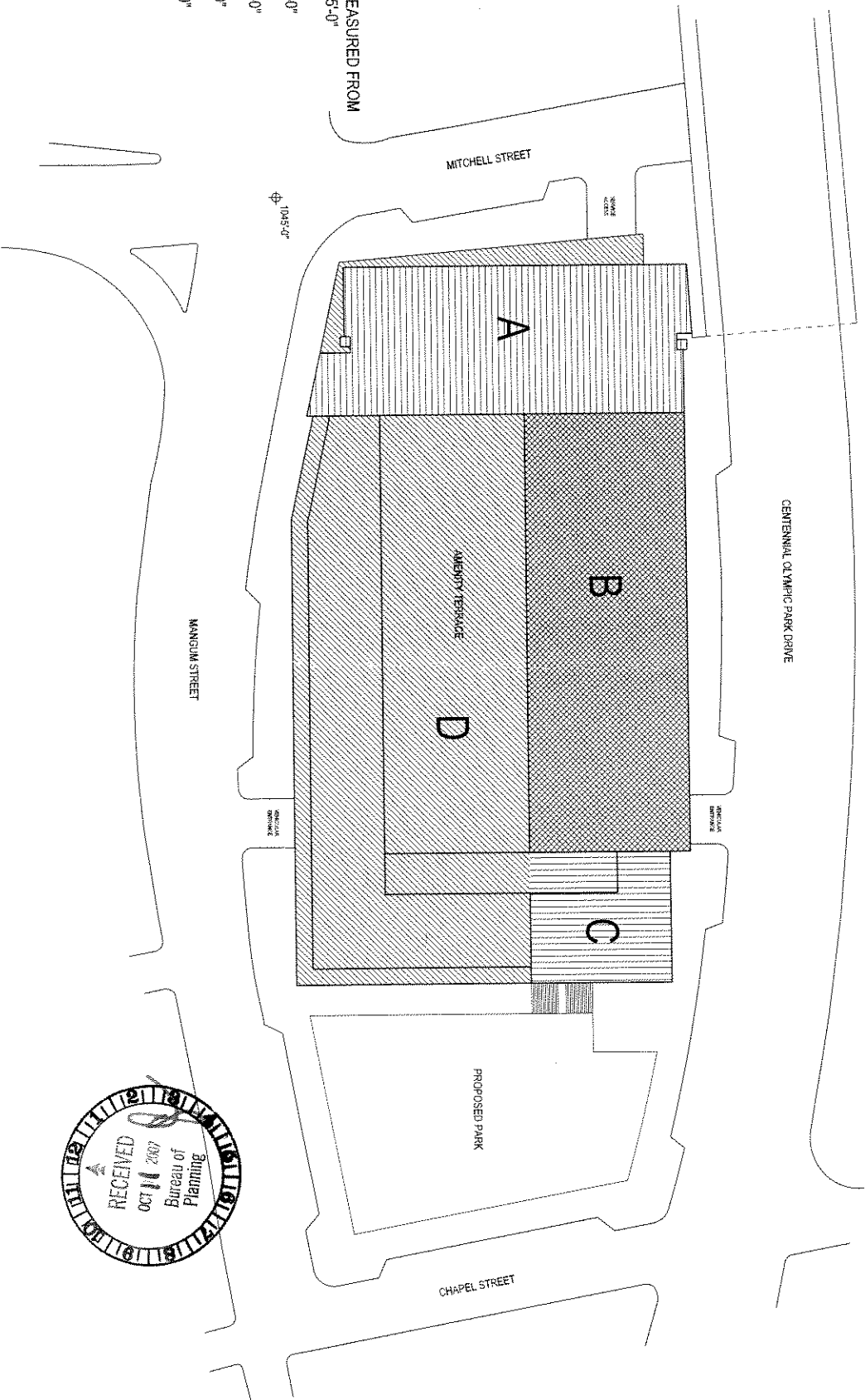
~~_____~~ The design of the park space shall be finalized in consultation with the Castleberry Hill Neighborhood Association and NPLM prior to the submission of the park design to the City. The park design shall be approved by the City Council.

* The CHNA shall provide the Bureau of Planning a letter as evidence of CHNA's approval of the park space design

MARKHAM STREET PARTNERS
LORD, AICK & SARGENT

A 170-0"
 B 106-0"
 C 64-0"
 D 52-0"



Adara, GA Scale 1:50
Project: 27064 N 100000



Per Condition #5

City Council
Atlanta, Georgia

06-O-0785

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-06-43

AN ORDINANCE TO REZONE FROM C-5-C (CENTRAL BUSINESS SUPPORT-CONDITIONAL), C-3 (COMMERCIAL RESIDENTIAL), I-1 (LIGHT INDUSTRIAL) AND SPI-1 (SPECIAL PUBLIC INTEREST CENTRAL CORE) TO MRC-2-C (MIXED RESIDENTIAL COMMERCIAL-CONDITIONAL), CERTAIN PARCELS LOCATED IN THE CASTLEBERRY HILL NEIGHBORHOOD, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the property located in the Castleberry Hill neighborhood, and more specifically identified on the map attached hereto and incorporated herein by this reference, be changed from C-5-C (Central Business Support-Conditional) C-3 (Commercial Residential), I-1 (Light Industrial) and SPI-1 (Special Public Interest Central Core) to MRC-2-C (Mixed Residential Commercial-Conditional).

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled "Conditional Development" as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

JULY 05, 2006
JULY 12, 2006

Per Condition #3

**CONDITIONS FOR Z-06-43
CASTLEBERRY HILL QUALITY OF LIFE REZONING-MRC-2-C**

APPROVAL of the MRC-2 (Mixed Residential Commercial) conditions on the following:

GENERAL ZONING CONDITIONS:

1. Prohibited principal uses and structures.
 - a. Auto service stations, car washes, auto repair facilities, or other uses that include the implementation of gas pumps.
 - b. Commercial greenhouses.
 - c. Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors and amusement arcades.
 - d. New and used car sales.
 - e. Repair garages, paint and body shops.
 - f. Security storage centers.
 - g. Drive-through service windows and drive-in facilities except for Drug Stores and/or Dry Cleaners.
2. Permitted Accessory Uses and Structures.

Except as otherwise herein provided, no merchandise shall be stored other than that to be sold at retail on the premises and such merchandise shall occupy not more than 25 percent of the total floor area on the premises.
3. Prohibited special use permits.
 - a. Bingo parlors.
 - b. Helicopter landing facilities or pickup or delivery stations.
 - c. Hospitals.
 - d. Park for hire surface parking lots.
 - e. Poolrooms, billiard parlors, amusement arcades.
 - f. Rooming houses and boardinghouses.
 - g. Single room occupancy residences.
 - h. Truck stops.
4. Building façade materials.

Brick, stone, and hardcoat stucco systems with a smooth finish shall be the predominant building materials for the facades of the principal structure facing public streets. Brick, stone, and hardcoat stucco systems with a smooth finish, as well as concrete block and other masonry materials may be used on facades of principal structures that do not face a public street. Aluminum siding and vinyl siding are not permitted on any façade.
5. Roofs.

Roofs of new construction, additions or alterations shall either be flat or pitched at a slope not to exceed 2:12, with a maximum peak height no greater than 10 feet. All roofs shall be concealed by a minimum 30 inch parapet wall.

Per Condition #5

6. Roof top structures.
 - a. All principal components of a structure or addition on the roof of a building visible from a public street shall be of formed sheet metal, glass, brick, stone or hardcoat stucco systems.
 - b. The enclosed floor area of a structure shall not exceed 25% of the total roof area, unless otherwise necessary to meet the minimum requirements for mechanical and elevator equipment, stairwells, elevator and stair landings.
 - c. Enclosed structures shall not exceed 10 (ten) feet in height above the parapet wall and shall be setback no less than 10 (ten) feet from all street-fronting facades.
 - d. All components of an addition on a roof of a principal building shall be set behind the parapet wall.
7. Transitional uses and yards (Section 16-34.009).
 - a. Adjoining lot with same frontage.
This requirement shall also apply to all properties that abut the Castleberry Hill Landmark District (20N).
 - b. Transitional height planes.
This requirement shall also apply to all properties that abut the Castleberry Hill Landmark District (20N).
 - c. Transitional yards.
This requirement shall also apply to all properties that abut the Castleberry Hill Landmark District (20N).
8. Sidewalks.
Public sidewalks shall be located along all public and private streets and shall have a minimum width of ten (10) feet along all streets. The clear zone width shall be a minimum of five (5) feet for all ten (10) foot wide sidewalks. Along Northside Drive, Martin Luther King, Jr. Drive and Centennial Olympic Park Drive sidewalks shall meet the width requirements of the MRC district and any reductions to sidewalk widths shall require approval by the Bureau of Planning, subject to site constraints that are unique to that particular piece of property.
9. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes are prohibited.
10. Tree preservation and replacement.
The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code section 158-26 shall also apply to this district.
11. Any project that includes the use of gas pumps that submits plans for a building permit within 48 hours of Council adoption shall be deemed grandfathered for the purposes of this ordinance and this ordinance only.

Per Condition #5

SPECIFIC MRC-2-C CONDITIONS

1. Maximum building heights.

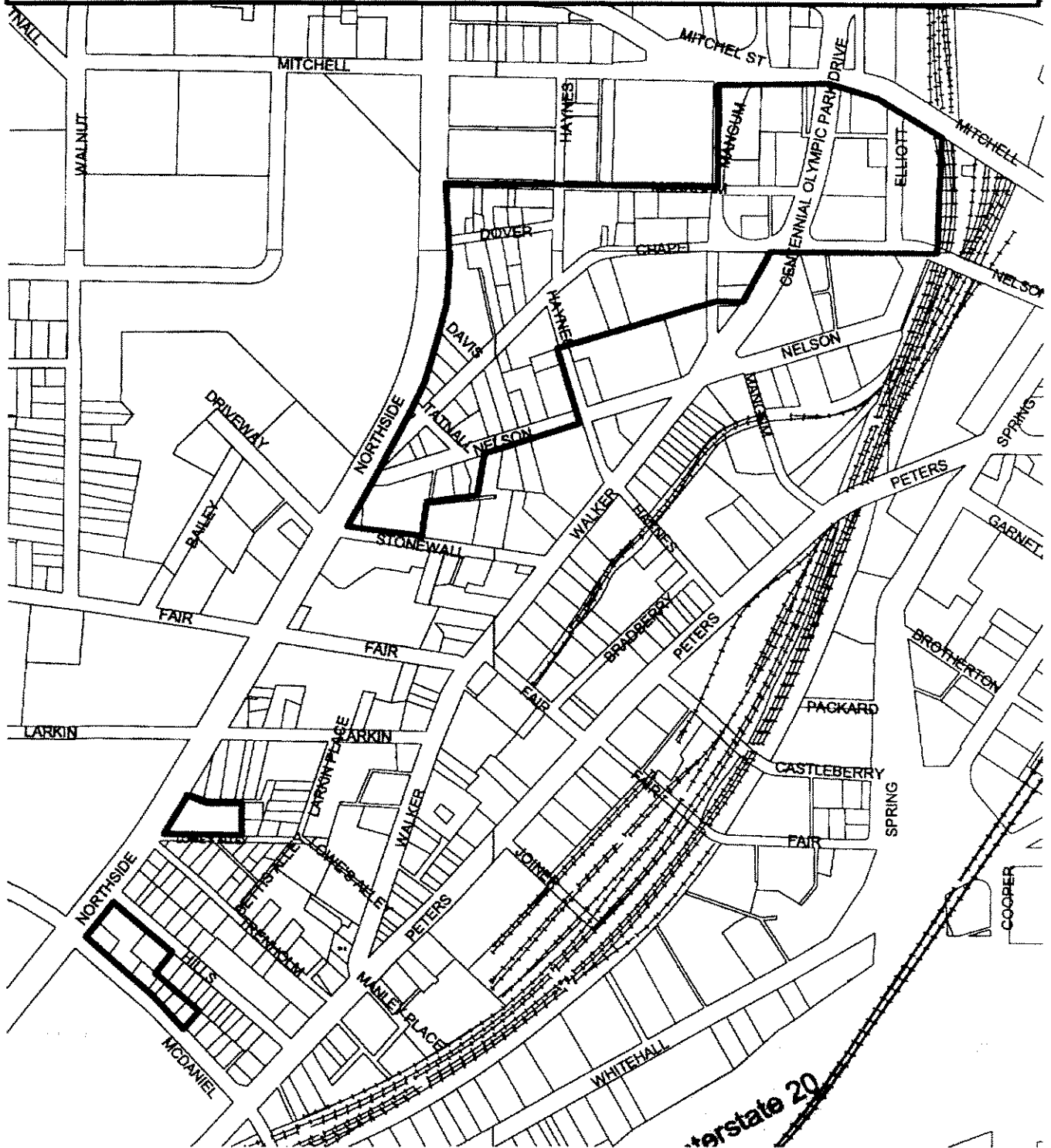
Structures or portions of structures shall have a maximum height of 52 feet within 150 feet of the Castleberry Hill Landmark District boundaries or any contributing buildings outside of the Landmark District with a maximum height of 70 feet beyond 150 feet of the Castleberry Hill Landmark District boundaries.

Per Condition #5

Proposed Castleberry Hill MRC-2-C Zoning District



Map produced by the
Atlanta Urban Design
Corporation, 3/16/04.



Per Conduct #5

RCS# 381
7/05/06
6:02 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0784 Z-06-42
06-O-0785 Z-06-43
ADOPT AS AMEND

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

Per Condition #5

06-0-0785
(Do Not Write Above This Line)

AN ORDINANCE
BY: COUNCILMEMBER IVORY LEE YOUNG, JR.
AN ORDINANCE TO REZONE FROM C-3-C (CENTRAL BUSINESS SUPPORT-CONDITIONAL), I-1 (LIGHT INDUSTRIAL) AND SFL-1 (SPECIAL PUBLIC INTEREST CENTRAL CORE) TO MRC-2-C (MIXED RESIDENTIAL, COMMERCIAL-CONDITIONAL), CERTAIN PARCELS LOCATED IN THE CASTLEBERRY HILL NEIGHBORHOOD, AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 05 2006
COUNCIL

7/5/06
AS AMENDED By Roll Call Vote

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 03/20/06
Referred To: JLB & Janning
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred to _____

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____
Members _____
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Committee _____
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Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____
Members _____
Refer To _____

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side) _____
Other _____
Members _____
Refer To _____

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

JUL 05 2006

CERTIFIED
JUL 05 2006
Ivory Lee Young, Jr.
Council Member

MAYOR'S ACTION

APPROVED
JUL 12 2006
MAYOR

SORT BY STREET, PRE, TYPE, POST, Number, SUITE

Report for Tax Digest 2007

Tax Digest **2007**

Tax Digest 2007
Parcel Id Number 14 -0084-0004-068-3
Property Address 0 MITCHELL ST SW
Owner Name CITY OF ATLANTA
Mailing Address 0 OF SHICKAN ALY ON
HAYNES ALLEY XX 00000
USA

Tax Digest Not Yet Complete
Try earlier Digests for more info

Tax District 05Z (Atlanta Westside
TAD)

Market Value \$ 50,200

Assessment \$ 0

City of Atlanta Exemption Code

Fulton County Exemption Code

Land Assessment \$ 50,200

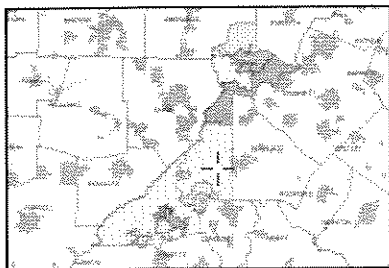
Improvement Assessment \$ 0

Land Size (acres) 0.064

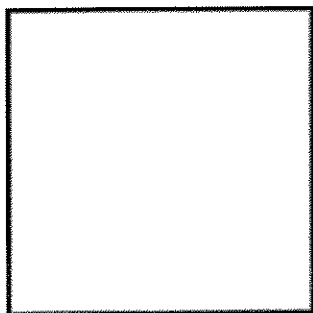
Property Class 600

Landuse Class E1

More info from www.fultonassessor.org



Red markers indicate location
of property in Fulton County



Information provided by the
Fulton County Board of Assessors

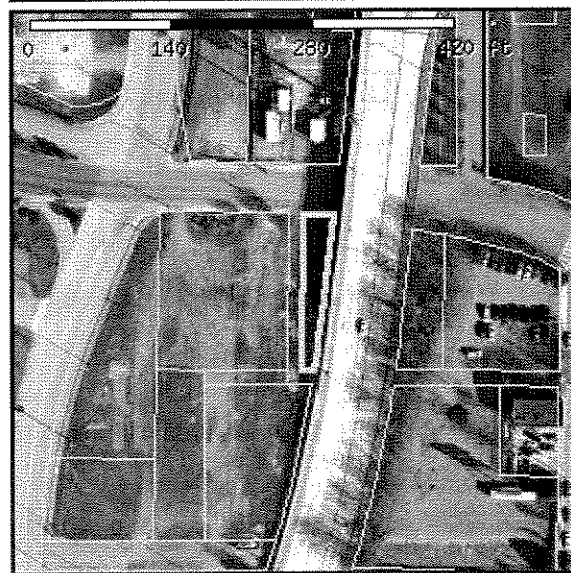
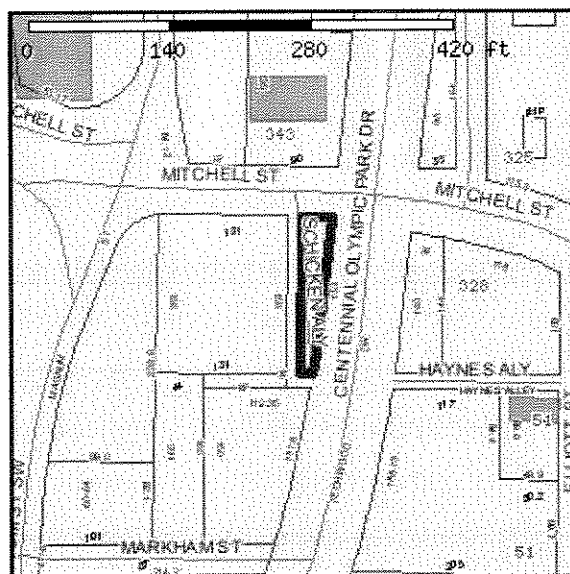


Image not available

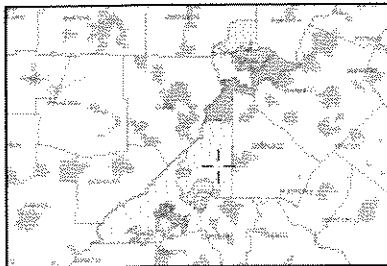
Report for Tax Digest 2007

Tax Digest **2007**

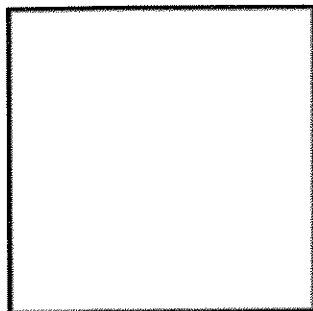
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Land Size (acres) 0.064
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Red markers indicate location
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Information provided by the
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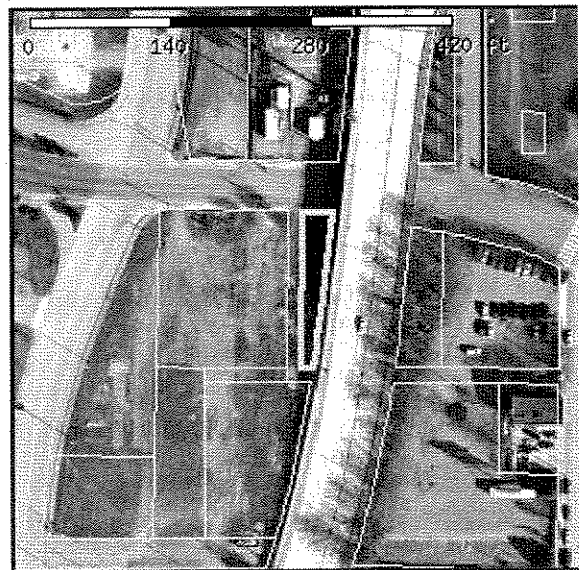


Image not available

City Council
Atlanta, Georgia

07-0 -1443

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By: Councilmember Ivory Lee Young

Z-07-75
Date Filed: 7/2/07

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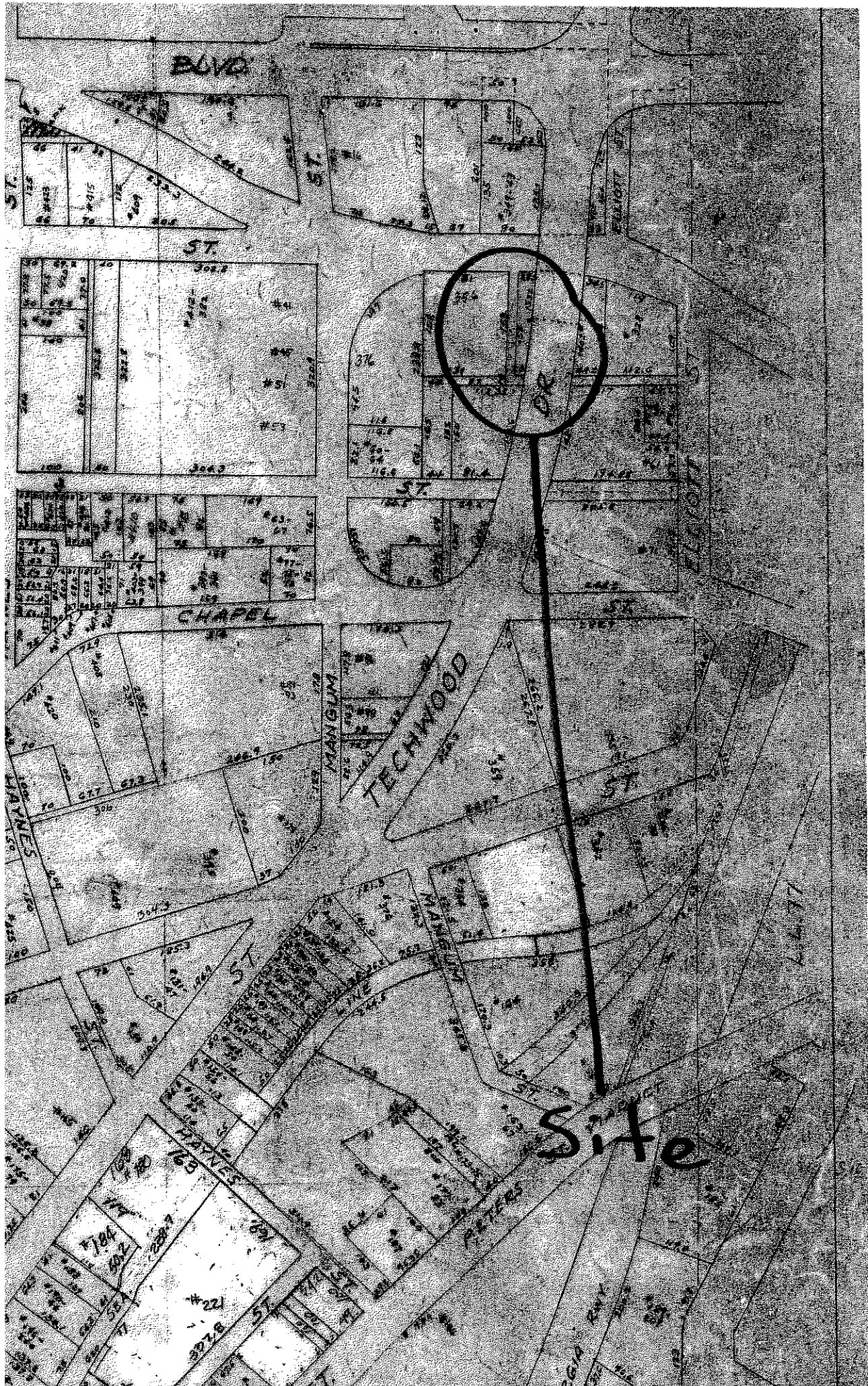
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R/W varies

posed 4" Gas line
1st edge of wall S86°38'20"E
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Wall bottom
TB 1044.67

El. 1044.80

El. 1066.59

157.60'

1/2" rebar set

Bottom
44.36
TB 1045.19
BB 1038.45
BB 1040.97
TB 1045.51
TB 1045.55

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El. 1066.01

46.69
El. 1047.26
0.4669 Ac.
20,339.36 SQ. FT.

Parcel I.D.
14-084-004-008

El. 1050.10

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2,641.69 SQ. FT.

Schickan Alley a.k.a. Schicken Alley

Parcel I.D. # 14-084-004-018
0.0770 Ac. 3,353.78 SQ. FT.

1" magnolia

3/1" magnolia

74' R/W

El. 1064.47

El. 1051.63
0.0283 Ac.
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rebar fnd. 1/2" pipe fnd.

Parcel I.D. # 14-084-004-087

1/2" pipe fnd.

1/2" rebar fnd.

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1/2" rebar fnd.
0.53' in r/w

2" oak

2" oak

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0.3342 Ac.
14,556.68 SQ. FT.

DRIVE

El. 1062.21

S16°16'19"W
C= 384.65'
A= 385.90'
R= 1385.00'

2" oak

1" oak

El. 1052.46

1/2" rebar fnd.
1.01' in r/w

1/2" rebar fnd.

1/2" pipe fnd.

W varies

FT.

No Parking
sign

OLYMPIC PARK

Techwood Drive Viaduct

El. 1059.36

2/5" weeping cherry

1/2" rebar fnd.

4" oak

1/2" rebar fnd.

